

REMARKS

Claims 48-64 are pending.

I. Claim Amendments

In the interests of simplicity and in avoiding any errors in amending the previous claims, Applicants have substituted (now cancelled) claims 1, 6 -10, 13-15, 18-20, 23-27, 30-32, 36-39, and 41-47 with new claims 48-64. The new claims are supported by the previous claims, as well as the paragraph bridging pages 2 and 3; page 7, second full paragraph; and page 20, second full paragraph. No new matter has been added.

II. 35 USC § 112

Claims 26, 27, 30, 31 and 41-47 stand rejected under 35 USC § 112, second paragraph, as allegedly failing to particularly point out and distinctly claim that which is considered the invention. In rewriting these claims, the language has been amended to more precisely recite the subject matter that Applicant regards as his invention. Reconsideration is respectfully requested.

III. 35 USC § 102

Previous claims 26, 27, 30 and 43 stand rejected under 35 USC § 102(b) as allegedly being anticipated by Downey (U.S. Patent No. 2,627,477). The Office Action asserts that this reference teaches each feature of these claims, as the particular language of the previous claims permitted zero acrylic acid and no crosslinking agent. However, as these claims have been cancelled, reconsideration is respectfully requested.

In rewriting the claims, the amount of acrylic acid containing material has been amended to be 10-40 dry lbs/ton of stock. As the amount of crosslinking agent depends upon the amount of acrylic acid containing material, the present claims include both the acrylic acid containing material and the crosslinking agent. As Downey neither teaches nor suggests the inclusion of either an acrylic acid containing material or a crosslinking agent in an amount sufficient to

crosslink the acrylic acid containing material, Applicant respectfully submits Downey does not anticipate any of the pending claims.

III. 35 USC § 103

Previous claims 26, 27, 30, 31, 41, 42, 45 and 47 stand rejected as allegedly being unpatentable over CA 235,966 or WO 02/25013 in view of Nigam (U.S. Patent No. 6,171,444) and in further view of Carlson (U.S. Patent No. 2,726,230).

Previous claim 43 stands rejected under 35 USC § 103(a) as allegedly being unpatentable over CA '966 or WO '013 in view of Nigam and Carlson in further view of Dumas (U.S. Patent No. 4,522,686).

Previous claim 46 stands rejected under 35 USC § 103(a) as allegedly being unpatentable over CA '966 or WO '013 in view of Nigam and Carlson and Bailey et al. (U.S. Patent No. 5,885,340).

Through this amendment, the present claims recite a stock composition including alkyl ketene dimer (AKD) in an amount of 1-20 dry lbs/ton of stock, i.e., 0.0005- 0.001%, as well as an acrylic acid containing material in an amount of 10-40 dry lbs/ton of the stock, i.e, 0.005% or more. Thus, the AKD and the acrylic acid containing composition are recited as being used in the wet end, e.g., as an internal size, not a surface size.

In contrast, CA '966 only teaches an internal size in an amount of 0.1-3% by weight based on the weight of the paper stock. There is neither a teaching nor suggestion in this reference nor any other cited reference to modify this percentage to fit within the presently claimed range.

While WO '013 may teach the presence of anionic organic particles in an amount of 0.1-10 kg/metric tonne (0.001-0.01 %), such disclosure does not specify either the AKD and/or acrylic acid containing compositions recited by the present claims. There is neither a teaching nor suggestion in this or any other cited reference to modify the teachings of WO '013 to achieve the recited materials in the ranges recited by the present claims.

As neither Nigam, Carlson, Dumas nor Bailey et al. cure the deficiencies of CA '966 and WO '013, Applicant respectfully submits that no *prima facie* case of obviousness has been made.

IV. Conclusion

In view of the above, it is respectfully submitted that all objections and rejections are overcome. Thus, a Notice of Allowance is respectfully requested. If any additional fee is necessary to make this paper timely and/or complete, it may be deducted from the deposit account of the undersigned, No.19-4375.

Respectfully submitted,



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